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ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND  
DIVISION

JANE ROE, an individual; MARY ROE,  
an individual; SUSAN ROE, an  
individual; JOHN ROE, an individual;  
BARBARA ROE, an individual;  
PHOENIX HOTEL SF, LLC, a  
California limited liability company;  
FUNKY FUN, LLC, a California limited  
liability company; and 2930 EL  
CAMINO, LLC, a California limited  
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN  
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**DECLARATION OF RANDY SHAW  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

**ASSIGNED FOR ALL PURPOSES  
TO THE HONORABLE DISTRICT  
JUDGE JON S. TIGAR,  
COURTROOM 6**

Action Filed: 03/14/2024  
Trial Date: Unassigned

1 I, Randy Shaw, declare as follows:

2 1. I am over the age of 18 and have personal knowledge of the facts stated  
3 herein, except for facts that are stated on information, belief, or understanding. As to  
4 the latter, I have a good faith basis for believing them to be true. If called as a  
5 witness, I could and would competently testify thereto. I make this declaration in  
6 support of Plaintiffs' Motion For Preliminary Injunction.

7 2. I have been the Director of San Francisco's Tenderloin Housing Clinic  
8 since 1982, and I spend a significant portion of my time in the Tenderloin  
9 neighborhood. The Tenderloin Housing Clinic operates a website: *BeyondChron.org*. I  
10 am the Editor and the main writer for that website. The articles I write describe  
11 current events in the Tenderloin. I have also published the leading historical account  
12 of the Tenderloin, which is titled *The Tenderloin: Sex, Crime, and Resistance in the*  
13 *Heart of San Francisco*. I am also the founder of the Tenderloin Museum.

14 3. I am personally involved in community affairs in the Tenderloin  
15 neighborhood. I communicate regularly with residents and business owners in the  
16 Tenderloin neighborhood about conditions in the Tenderloin. I also correspond with  
17 representatives of the City and County of San Francisco ("the City") about issues  
18 affecting the Tenderloin, and I attend community meetings. The most frequent topic  
19 of discussion, by far, is the condition of the streets and sidewalks of the Tenderloin.

20 4. The City purchased a former youth hostel at 685 Ellis Street, in the  
21 Tenderloin, for the express purpose of providing permanent supportive housing for  
22 the homeless population. However, the City has instead operated 685 Ellis Street as  
23 a homeless shelter. The property is managed by Five Keys Housing under a contract  
24 with the City.

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26 ////

27 ////

28 ////

1           5.       The City had also taken over three (3) former tourist hotels and is  
2 currently operating two (2) of them as homeless shelters in the Tenderloin  
3 neighborhood. They are the Adante Hotel at 610 Geary Street and the Monarch  
4 Hotel, located at 1015 Geary Street. The City ceased operating the third facility, the  
5 COVA, located at 655 Ellis Street, in February 2025.

6           6.       During the daytime, many shelter residents at 685 Ellis Street and the  
7 Monarch Hotel congregate outside those properties and the surrounding streets of  
8 the Tenderloin neighborhood. The sidewalks around those properties become blocked  
9 by drug users. I have often witnessed illegal drug activities among the groups of  
10 people loitering in front of those shelters. I also observe garbage, including discarded  
11 drug paraphernalia.

12           7.       The residents of 685 Ellis Street are free to spend their days outside of  
13 the shelter. The operators of that shelter have not effectively dispersed sidewalk drug  
14 users. My staff at Tenderloin Housing Clinic have spoken with the people loitering in  
15 front of 685 Ellis Street and confirmed from them that they include residents of 685  
16 Ellis Street.

17           8.       I understand that the City recently instituted a policy regarding the  
18 distribution of drug paraphernalia, and in particular smoking materials, on public  
19 streets. I am informed the policy does not allow the distribution of smoking supplies  
20 on public streets, but does allow it instead inside and with offers of counseling. I am  
21 informed and believe that the Glide Memorial parking lot at 332 Ellis Street is a  
22 distribution site for drug paraphernalia.

23           9.       I am a co-founder of the Tenderloin Business Coalition. We requested  
24 that the City assign “ambassadors” to each of its converted tourist hotels that are  
25 now operated as shelters, in order to ensure that they did not give rise to nuisance  
26 conditions in the vicinity of those shelters. The City has not provided consistent  
27 ambassadors to monitor those properties in order to prevent nuisances.

28

1           10. Attached here as **Exhibit A** is photograph of people using illicit drugs in  
2 public in the immediate vicinity of the 685 Ellis Street homeless shelter. The  
3 photograph was published on *BeyondChron.org* on August 4, 2025, a few days after it  
4 was taken by staff of the Tenderloin Housing Clinic.

5           11. Attached hereto as **Exhibit B** is a true and correct copy of a photograph  
6 of people using illicit drugs in public in the immediate vicinity of the Monarch Hotel,  
7 a former tourist hotel that the City converted to a shelter. The photograph published  
8 on *BeyondChron.org* on February 24, 2025, within a few days of the date it was taken  
9 by staff of the Tenderloin Housing Clinic.

10           12. Over the past several years, I have witnessed the effects of the above-  
11 described conditions on the businesses in the Tenderloin. The effects have been  
12 devastating on businesses in the “Little Saigon” area of the Tenderloin.

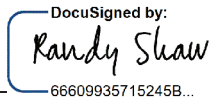
13           13. The Little Saigon area of the Tenderloin is located on Larkin Street  
14 between Eddy Street and Geary Street. The former COVA hotel-turned-shelter  
15 borders Little Saigon. It is less than a block from the current 685 Ellis Street  
16 homeless shelter and approximately two (2) blocks from the Monarch Hotel Homeless  
17 shelter.

18           14. As a result of Little Saigon’s proximity to the tourist hotels that the City  
19 has converted to homeless shelters, it has been devastated by the conditions  
20 described above. Foot traffic has dramatically decreased because people actively  
21 avoid that section of the Tenderloin. I have observed nearly twenty businesses closed  
22 in that area, leaving approximately 18 vacant retail spaces on one block of Little  
23 Saigon between Ellis Street and O’Farrell Street. This has decimated what was long  
24 the most thriving economic area in the Tenderloin neighborhood.

25           15. After significant community pressure, the COVA hotel ceased operating  
26 as a homeless shelter in February 2025. But by that time, business in the Little  
27 Saigon area was ruined. Drug activities outside the 685 Ellis Street shelter continue  
28 to deter new businesses from opening in the area and affect the nearby residents.

1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct to the best of my knowledge.

3 Executed on this 22<sup>nd</sup> day of August, 2025, at San Francisco, California.

4  
5  DocuSigned by:  
Randy Shaw  
66609935715245B...  
6 Randy Shaw

# **EXHIBIT A**





# **EXHIBIT B**



